

From: Woods, Clint [woods.clint@epa.gov]
Sent: 11/7/2018 2:44:00 PM
To: Beach, Christopher [beach.christopher@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
Subject: FW: Texas OAR Talkers

Third, our SIP Ozone Final Rule

- Yesterday, I also signed a final rule to help states implement the 2015 National Ambient Air Quality Standards (NAAQS) for ground-level ozone. These requirements apply to states and tribes with nonattainment areas, and the 13 northeastern states that comprise the Ozone Transport Region.
- This final rule grants states the flexibilities they need to incorporate factors that are often outside their control, such as international air pollution or exceptional events, so they can meet the 2015 ozone standards and continue our nation's tremendous clean air progress.
- This final rule clarifies that areas like San Antonio or Dallas can get regulatory relief for international emissions. This will allow these areas to meet the standard more quickly.
- The rule also allows for very flexible trading of ozone precursors, provisions which should greatly benefit areas like Houston.
- Texas has consistently called on EPA to release implementation tools much sooner after a standard is revised. While we will continue to work to do better, this is the fastest that EPA has finalized a SIP requirements rule for an ozone NAAQS since 1990. The Agency took less than half of the time of the Obama Administration, which took almost 7 years to issue their final implementation rule after the 2008 ozone standard.
- By working with states to provide greater regulatory certainty, we are helping them improve air quality, protect public health, and enhance economic growth.
- The final rule follows President Trump's April 2018 Memo which directs EPA to ensure efficient and cost-effective implementation of air quality standards under **the** NAAQS and regional haze programs of the Clean Air Act.

Clint Woods
Deputy Assistant Administrator
Office of Air and Radiation, U.S. EPA
202.564.6562

From: Woods, Clint
Sent: Wednesday, November 7, 2018 8:40 AM
To: Woods, Clint <woods.clint@epa.gov>
Subject: Fwd: Texas OAR Talkers

Begin forwarded message:

From: "Beach, Christopher" <beach.christopher@epa.gov>
Date: November 6, 2018 at 4:46:59 PM EST
To: "Schwab, Justin" <Schwab.Justin@epa.gov>, "Woods, Clint" <woods.clint@epa.gov>, "Dominguez, Alexander" <dominguez.alexander@epa.gov>, "Gunasekara, Mandy" <Gunasekara.Mandy@epa.gov>
Cc: "Abboud, Michael" <abboud.michael@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: RE: Texas OAR Talkers

Okay, thanks. I'll make these edits.

From: Schwab, Justin
Sent: Tuesday, November 6, 2018 4:27 PM
To: Woods, Clint <woods.clint@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Texas OAR Talkers

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One issue flagged up top, and then bold/strikeout edits in the main text below.

Ex. 5 Deliberative Process (DP)

From: Woods, Clint
Sent: Tuesday, November 6, 2018 4:05 PM
To: Beach, Christopher <beach.christopher@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: RE: Texas OAR Talkers

+ Schwab

From: Beach, Christopher

Sent: Tuesday, November 6, 2018 3:33 PM

To: Woods, Clint <woods.clint@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

Cc: Abboud, Michael <abboud.michael@epa.gov>

Subject: Texas OAR Talkers

Could you all look over these to make sure they're accurate? I tried to take everything we're highlighting/announcing in Texas and boil it down. I need to get this in AW's binder by 4:30 so if you can let me know if anything is blatantly wrong or off before then that would be a huge help. Thanks!

First, the Petroleum Refinery Sector Rule

- Today, I will sign a final rule to make technical corrections and minor revisions for work practice standards, recordkeeping and reporting requirements for several petroleum refinery sector rules.
- This action includes amendments to the Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards and the National Emission Standards for Hazardous Air Pollutants Refinery MACT 1 and Refinery MACT 2.
- This action also extends a compliance date to January 30, 2019, for Refinery MACT 1 for maintenance vent standards that apply during periods of startup, shutdown, maintenance or inspection.
- We estimate the final amendments will reduce annual compliance burden by \$12 million, while having an insignificant effect on emissions.

Second, New Source Review (NSR) Projection Aggregation

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Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

- As you know well, New Source Review has regularly discouraged companies from employing the latest energy-efficient equipment.
- Our updates will remove undue regulatory barriers, provide greater certainty to America's job creators and energy providers, and incentivize upgrades that will improve air quality.

Third, our SIP Ozone Final Rule

- Yesterday, I also signed a final rule to help states implement the 2015 National Ambient Air Quality Standards (NAAQS) for ground-level ozone. These requirements apply to states and tribes with nonattainment areas, and the 13 northeastern states that comprise the Ozone Transport Region.
- This final rule grants states the flexibilities they need to incorporate factors that are often outside their control, such as international air pollution or exceptional events, so they can meet the 2015 ozone standards and continue our nation's tremendous clean air progress.
- By working with states to provide greater regulatory certainty, we are helping them improve air quality, protect public health, and enhance economic growth.
- The final rule follows President Trump's April 2018 Memo which directs EPA to ensure efficient and cost-effective implementation of air quality standards under the NAAQS and regional haze programs of the Clean Air Act.

Fourth, Reversing Texas Nonattainment Designations for SO2 NAAQS

- In the next few weeks, EPA will propose an action to reverse the previous Administration's nonattainment designations for the 2010 sulfur dioxide NAAQS in the Texas counties of Freestone, Anderson, Rusk, Panola, and Titus.
- These designations, focused on emissions from several power plants which have recently shut down, ignored Texas' ~~logical~~ **stated**

preference for monitoring. Instead, they relied upon dubious modeling from the Sierra Club.

- The U.S. and Texas have experienced dramatic improvements in sulfur dioxide. Nationally, SO₂ emissions have plummeted by more than 75 percent in the last decade. SO₂ concentrations in Texas are down more than 60 percent in the last 16 years.

Ex. 5 Deliberative Process (DP)

Last but not least, the Startup, Shutdown, and Malfunction (SSM) SIP Call in Texas

- In October, Region 6 Administrator Anne Idsal sent a letter to the Texas Commission on Environmental Quality granting reconsideration of the EPA's 2015 Startup, Shutdown, and Malfunction (SSM) State Implementation Plan (SIP) Call as it applies to Texas.
- The SIP Call required states to remove "affirmative defenses" and other regulatory exemptions for air pollution increases from industrial facilities during periods of startup, shutdown and malfunction.
- The letter states that EPA will begin a proceeding for reconsideration of the Texas' SIP Call and will provide opportunity for public comment. We intend to undertake this rulemaking as quickly as possible.